

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:19-CV-00405-FDW-DCK**

**HEATHER COLEMAN, AS RELATOR;  
UNITED STATES OF AMERICA; AND  
STATE OF NORTH CAROLINA,**

**Plaintiffs,**

**v.**

**FAMILY FIRST HOME HEALTH CARE  
LLC; AND MARION JAMES,**

**Defendants.**


**ORDER TO SHOW CAUSE**

**THIS MATTER** is before the Court sua sponte concerning the status of this case. On July 17, 2023, the Clerk of Court entered default against both Defendants for their failure to timely answer or otherwise respond to service of the summons and complaint. (Doc. No. 45). On the next day—July 18, 2022—both Defendants filed an Answer. (Doc. No. 46). The Answer was not accompanied by any motion seeking to set aside default pursuant to Fed. R. Civ. P. 55(c), and to date, Plaintiffs have not submitted a motion for default judgment pursuant to Fed. R. Civ. P. 55(b). The Court does not intend to allow this case—filed in 2019—to linger on its docket. The parties are hereby ordered to file an appropriate motion either jointly agreeing to the requested relief or individually requesting relief under the Federal Rules of Civil Procedure and other applicable law.

**IT IS, THEREFORE, ORDERED** that counsel for the parties shall immediately confer and file an appropriate motion within seven (7) days from entry of this Order.

**IT IS SO ORDERED.**

Signed: July 31, 2023

  
Frank D. Whitney  
United States District Judge